

1R # 18-127182

US Legal Support Inc.

20970 Warner Center Lane, Suite C

Woodland Hills, CA 91367

Phone: (818) 878-9227 / Fax: (818) 878-9851

WorkOrder #:257636.001
Due Date: 07/13/2018 9:00AM

Rcvd
6/22/18
Bldg/IA

NOTICE TO PARTIES BEING SUBPOENAED

TO THE CUSTODIAN OF RECORDS OF:

City of San Jose Planning, Building and Code Enforcement Building Department

200 East Santa Clara Street, Tower, 2nd Floor

San Jose, CA 95113-1905

20 S. 2nd St.
25 S. 3rd St.

- 1) Remember to sign the enclosed Declaration of Custodian of Records form
- 2) Please include our work order number 257636.001, on all correspondence.
- 3) If radiological films are requested, a complete list of breakdown is required prior to production of films.

You may satisfy the provisions of this subpoena by complying with any one of the following instructions:

- 1) Allow U.S. LEGAL SUPPORT to photocopy the requested records.
- 2) Appear at the scheduled time and place, bringing with you the originals of all of the records described in the subpoena.
- 3) Mail your response to our attention, taking the following steps:
 - a. Copy the requested records (or duplicate the requested items or materials). If no such records or materials, go to step c.
 - b. Contact U.S. LEGAL SUPPORT prior to sending the records if there are any additional fees for producing the records or materials.
 - c. Complete the declaration form(the last page in the subpoena packet sent to you) to indicate the records and/or items being sent, or to indicate that you have none of the records and/or requested if they do not exist.
 - d. Mail records to: US Legal Support, 20970 Warner Center Lane, Suite C, Woodland Hills, CA 91367. Please make sure to include our reference number (found in the upper right hand corner of this notice) on all correspondence you send.

WHEN THE AFOREMENTIONED RECORDS ARE AVAILABLE TO BE COPIED,
PLEASE CONTACT OUR OFFICE.

IF YOU HAVE ANY QUESTIONS REGARDING THE ATTACHED SUBPOENA OR HOW TO RESPOND,
PLEASE FEEL FREE TO GIVE US A CALL. (818) 878-9227.

Some of the results of the 1971-1972 survey are shown in Table 1.

PLANTIFF/PETITIONER: The Globe Homeowners Association

CASE NUMBER

DEFENDANT/RESPONDENT: The Globe at 2nd and Santa Clara, L.P., et al.

17CV318405

**PROOF OF SERVICE OF DEPOSITION SUBPOENA FOR
PRODUCTION OF BUSINESS RECORDS**

1. I served this *Deposition Subpoena for Production of Business Records* by personally delivering a copy to the person served as follows:

- a. Person served (name):
- b. Address where served: City of San Jose Planning, Building and Code Enforcement Building Department, 200 East Santa Clara Street, Tower, 2nd Floor
San Jose, CA 95113-1905
- c. Date of delivery:
- d. Time of delivery:
- e. (1) ☐ Witness fees were paid
Amount: \$ _____
- (2) ☐ Copying fees were paid
Amount: \$ _____
- f. Fee for service: \$ _____

2. I received this subpoena for service on (date)

3. Person serving:

- a. ☐ Not a registered California process server
- b. ☐ California sheriff, marshal, or constable
- c. ☐ Registered California process server
- d. ☐ Employee or independent contractor of a registered California process server
- e. ☐ Exempt from registration under Bus. & Prof. Code section 22350(b)
- f. ☒ Registered professional photocopier
- g. ☐ Exempt from registration under Bus. & Prof. Code section 22451
- h. Name, address and telephone number, and if applicable, county of registration and number

US Legal Support Inc.
20970 Warner Center Ln. Suite C
Woodland Hills, CA 91367
Phone: (818) 878-9227

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct

Date:

(For California sheriff or marshal use only)
I certify that the foregoing is true and correct

Date:

(SIGNATURE)

(SIGNATURE)

THE GLOBE HOMEOWNERS ASSOCIATION v.
THE GLOBOE AT 2ND AND SANTA CLARA, LP, et al.

ATTACHMENT 3

DEFINITIONS

The term "DOCUMENT" or "DOCUMENTS" shall mean any text, recording, photograph or writing (as defined in California evidence Code section 250). The terms "DOCUMENT" or "DOCUMENTS" shall also include, without limitation, all permits, plans, blueprints, shop drawings, plumbing, mechanical, engineering, structural or architectural drawings, diagrams, calculations, specifications, correspondence, memoranda, notes, meeting minutes, requests for information (RFI's) and responses thereto, bulletins, construction directives and responses thereto, contracts, change orders, and reports and all electronic media on which responsive information is stored or recorded on any disc or drive or electronic files or writings.

The term "PROJECT" means the development known as Globe Homeowners Association, located in the City of San Jose, County of Santa Clara, State of California described as follows: Lots 3, 4 and 5 and A, C and H, as shown on the final map of Tract No. 7688, filed on December 11, 2006, in Book 295 of Maps at Pages 14 through 17, inclusive, in the official records of the County of Alameda, State of California, which includes the following residential addresses:

25 South 3 rd Street, Units 101 - 415	20 South 2 nd Street, Units 421 - 515
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The term "YOU" or "YOUR" means City of San Jose Planning, Building and Code Enforcement, Building and Planning Division and its employees, independent contractors, representatives, and any other person or entity acting or purporting to act on behalf of City of San Jose Building and Planning Division.

The term "RELATED TO" means concerning, verifying, approving, constituting, consisting of, summarizing, describing, mentioning, evidencing, recounting, reporting, discussing, explaining, reflecting, or referring to.

DOCUMENTS TO BE PRODUCED

1. Any and all construction drawings in YOUR possession, custody or control RELATED to or connected with the PROJECT.
2. Any and all DOCUMENTS in YOUR possession, custody or control RELATED to or connected to building permits that relate in any way to the PROJECT.
3. Any and all DOCUMENTS in YOUR possession, custody or control related to or connected with the PROJECT.
4. Any and all DOCUMENTS in YOUR possession, custody or control that were provided to YOU by anyone that relate in any way to the PROJECT.

US Legal Support Inc.

20970 Warner Center Lane, Suite C

Woodland Hills, CA 91367

Phone: (818) 878-9227 Fax: (818) 878-9851

WorkOrder#: 257636.001

CSR: Kristineh Bngboomian

DECLARATION OF CUSTODIAN OF RECORDS

RECORDS ON: The Globe Homeowners Association v. The Globe at 2nd and Santa Clara, L.P.

LOCATION: City of San Jose Planning, Building and Code Enforcement Building Department

I being the duly authorized custodian of records and having the authority to certify the records, declare the following:

1. DESCRIPTION OF RECORDS PRODUCED: (Must select at least one)

☐ Medical ☐ Billing ☐ Radiological Images ☐ Radiological Reports ☐ Insurance ☐ Employment ☐ Payroll
☐ Academic ☐ Dental ☐ Other

The records were prepared by the personnel of the business in the ordinary course of business at or near the time of the act, condition, or event.

2. THE RECORDS INDICATED BELOW WERE REQUESTED BUT DO NOT EXIST:

☐ Medical ☐ Billing ☐ WCAB Recs ☐ Insurance ☐ Physical Therapy ☐ Sign-in Sheets ☐ Employment
☐ Pathology reports/materials ☐ Prescription/Pharmacy ☐ Photographs ☐ Videotapes ☐ Paramedic/Ambulance
☐ Psychiatric ☐ Payroll ☐ Academic ☐ Radiological Images ☐ Radiological Reports
☐ Billing records can be obtained from: _____
☐ Other/Explanation: _____

3. IN WHAT MANNER WERE THE PRODUCED RECORDS PREPARED: (Must select at least one)

☐ Data/Computer Generated ☐ Typed/Hand Written Notes ☐ Summary ☐ Radiological
☐ Audio/Video ☐ Pathological ☐ Other

4. CERTIFICATION OF RECORDS COPIED OR OBTAINED: (Must select at least one)

☐ The produced records is a true copy of all the records described in the Deposition Subpoena, Subpoena Duces Tecum or Authorization.
☐ Pursuant to Evidence Code Section 1560(e), the original records described in the Deposition Subpoena/Subpoena Duces Tecum was delivered to the Attorney or the Attorney's representative for copying at the witness' place of business.
☐ The following records were omitted or could not be produced at this time for the following reason: _____

5. CERTIFICATION OF NO RECORDS: (Must select at least one)

☐ A thorough search of our files, carried out under my direction revealed no documents, records or other material called for in the Subpoena or Authorization searched by Name, SSN, DOB, etc.
☐ Existing records not within the time limitation set forth in the request.
☐ All records have been destroyed in accordance with our document retention policy which is _____ years.
☐ The following information does not match what we have | | DOB | | SSN | | NAME | | Other
☐ Additional information is needed such as: _____
☐ Other explanation: _____

Under penalty of perjury and under the laws of California, I the CUSTODIAN of RECORDS, declare that the foregoing is true and correct.

Custodian
→ Signature

Date: _____ City: _____, California
Print name: _____ Signed: _____

(OFFICE USE ONLY) CERTIFICATION OF PROFESSIONAL PHOTOCOPIER

I, the undersigned, declare under penalty of perjury that the foregoing is true and correct:

☐ I made true copies of all the original records that were given to me by the Custodian of Records at the above named location.

The records provided are a true and complete copy of those received from the Custodian of Records via:

☐ Email ☐ Fax ☐ Online Repository ☐ Other: _____

Executed on _____ At _____, California
Print Name _____ Signed _____

1 The Globe Homeowners Association,) Case No.: 17CV318405
2) Plaintiff(s).)
3 vs.) **PROOF OF SERVICE BY MAIL**
4 The Globe at 2nd and Santa Clara, L.P., et al.,)
5) Defendant(s).)
6)
7)
8)
9)
10)

11 I, Angie Salvatierra, am and was on the dates mentioned herein, over the age of eighteen years and
12 not a party to the within entitled action

13 My business address is: US Legal Support Inc.
14 20970 Warner Center Ln. Suite C
15 Woodland Hills, CA 91367

16 On 06/22/2018 I served true copies of the following documents:

17 **Deposition Subpoena for Production of Business Records**

18 To each party appearing in this action, at the address below, by placing true copies thereof
19 enclosed in a sealed envelope in which I mailed to the addressee(s) below with postage fully pre-paid,
20 in the United States Mail.

21 Mark D. Newcomb, Esquire
22 Koeller, Nebeker, Carlson & Haluck, L.L.P.
23 3 Park Plaza Suite 1500
24 Irvine, CA 92614
25 (949) 864-3400 Fax: (949) 864-9000

26 I declare under penalty of perjury under the laws of the State of California that the foregoing is true
27 and correct.

28 /s/ 
Angie Salvatierra
U.S. Legal Support, Inc

SANTA CLARA COUNTY
SUPERIOR COURT

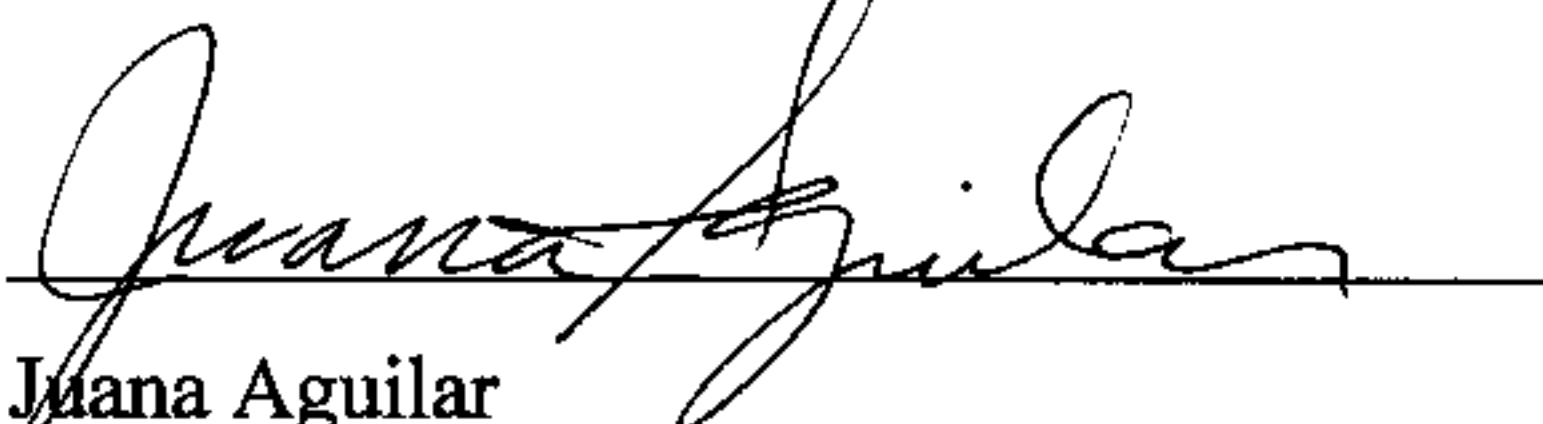
)	NO. 17CV318405
)	
)	DECLARATION OF
The Globe Homeowners Association,)	JUANA AGUILAR
Plaintiff,)	
)	
v.)	RE: RECORDS
)	
The Globe at 2nd and Santa Clara, L.P., et al.,)	
Defendant,)	
)	
)	
)	

I, Juana Aguilar, declare:

1. I am the duly authorized custodian of records of the City of San Jose's Planning, Building and Code Enforcement Department and have authority to certify such records.
2. On June 22, 2018, I was served with a subpoena calling for the Planning and Building Department documents regarding the "PROJECT" known as Globe Homeowners Association, located in the City of San Jose, CA.
3. The accompanying copies are true copies of all Planning and Building Department records described in the subpoena and specifically requested after a review of all documents that are in my possession as custodian of records. These records were prepared by the personnel of the City in the ordinary course of business, at or near the times of the acts, conditions, or events recorded therein.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: 7/23/18 at San Jose, California,


Juana Aguilar

July 23, 2018

US Legal Support Inc.
20970 Warner Center Lane, Suite C
Woodland Hills, CA 91367

Re: SUBPOENA *The Globe Homeowners Association vs. The Globe at 2nd and Santa Clara, L.P., et al.*, Superior Court of California, County of Santa Clara Case No. 17CV318405
Your Work Order No.: 257636.001

The production of records in regards to the above-referenced subpoena has been completed. The following is a breakdown on the costs incurred by the Planning, Building and Code Enforcement Department in response to this subpoena.

For clerical costs for the retrieval and duplication of documents 21 hours at \$24.00 per hour	\$504.00
For 8 ½ x 11 document copies 3,910 pages at \$ 0.20 per page	782.00
For plan copies on CD 1 CD at \$ 0.50 per CD	0.50
Total	\$1,286.50
Less Deposit	.00
BALANCE DUE	\$1,286.50

If paying by check, please make the check payable to the CITY OF SAN JOSE.

Thank you,

Juana Aguilar
Staff Specialist | Public Records Act Coordinator
PBCE – Building Division | Imaging Center
City of San Jose
200 E. Santa Clara St., San Jose CA 95113
juana.aguilar@sanjoseca.gov